



Atty. Dkt. No. 029318-0981

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Cooper et al.
Title: NOVEL BENZOYL PEROXIDE COMPOSITIONS
Appl. No.: 10/677,857
Filing Date: 10/3/2003
Examiner: Thane E. Underdahl
Art Unit: 1651
Confirmation Number: 4616

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, after the filing of a Request for Continued Examination (RCE).

RELEVANCE OF EACH DOCUMENT

The references listed on the attached PTO/SB/08 were cited by the Examiner in related U.S. Patent Application Nos. 11/650,412, 10/697,703, 10/697,716, 10/357,514, 09/337,675, 10/701,064, 11/592,264, 10/712,259, 11/980,586, and 11/979,231, as well as related Japanese Patent Application No. 2002-590934.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Date: October 17, 2008

By 

FOLEY & LARDNER LLP
Customer Number: 31049
Telephone: (202) 672-5538
Facsimile: (202) 672-5399

Michele M. Simkin
Attorney for Applicant
Registration No. 34,717